

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:21-CV-00326

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	VERIFIED COMPLAINT FOR
)	FORFEITURE <i>IN REM</i>
APPROXIMATELY \$5,149.00 IN U.S.)	
CURRENCY seized from Andrew)	
George Long on or about October 21,)	
2020, in McDowell County, North)	
Carolina,)	
)	
Defendant.)	

NOW COMES the United States of America, Plaintiff herein, by and through William T. Stetzer, Acting United States Attorney for the Western District of North Carolina, in a civil cause of forfeiture, and respectfully states the following:

NATURE OF ACTION

1. This is a civil action *in rem* against approximately \$5,149.00 in United States Currency (“the Defendant Currency”) seized from Andrew George Long on or about October 21, 2020, in McDowell County, North Carolina.

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355.

3. This Court has *in rem* jurisdiction over the Defendant Currency, and venue is proper pursuant to 28 U.S.C. § 1355(b)(1) because acts or omissions giving rise to the forfeiture occurred in the Western District of North Carolina.

4. Venue is also proper pursuant to 28 U.S.C. § 1395 because the Defendant Currency is located in the Western District of North Carolina.

5. The Defendant Currency was seized within and is now within the Western District of North Carolina.

BASIS FOR FORFEITURE

6. This civil action is brought against the Defendant Currency because it constitutes money furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of 21 U.S.C. §§ 841 and/or 846, proceeds traceable to such an exchange, and/or money used or intended to be used to facilitate a violation of 21 U.S.C. §§ 841 and/or 846, and is therefore subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

FACTS

7. On October 21, 2020, Officer Matt Huggins of the Marion, North Carolina Police Department conducted a traffic stop of a Nissan Maxima because it had a fictitious license plate.

8. Andrew George Long was the driver of the vehicle. Shannon Nicole Mills was the passenger.

9. During the traffic stop, Officer Huggins confirmed that the vehicle was stolen.

10. Mr. Long was arrested for possession of a stolen motor vehicle.

11. During an inventory search of the vehicle, Officer Huggins located a set of digital scales that contained a crystalline substance suspected of being methamphetamine.

12. Additionally, during a search incident to Mr. Long's arrest, Officer Huggins located the Defendant Currency in Mr. Long's front pants pocket.

13. On October 21, 2020, a trained and certified narcotics K-9 with the McDowell County Sheriff's Office positively alerted to the presence of illegal narcotics on the Defendant Currency.

14. After Mr. Long's arrest, he volunteered to speak with law enforcement. During his voluntary interview with investigators on October 21, 2020, Mr. Long

admitted that he had been purchasing methamphetamine, and he identified his source of supply.

15. In particular, Mr. Long stated to investigators that he had been obtaining approximately two ounces of methamphetamine at a time, and that he had received a half-pound quantity of methamphetamine on one previous occasion.

16. Mr. Long has a prior conviction for possession of a controlled substance, along with several convictions for property crimes.

17. Ms. Mills has a prior conviction for possession with intent to distribute marijuana and a felony conviction for possession of methamphetamine.

ADMINISTRATIVE FORFEITURE

18. DEA timely adopted the seizure of the Defendant Currency and initiated an administrative forfeiture action against the Defendant Currency.

19. On August 3, 2021, Mr. Long filed a claim as to the Defendant Currency.

20. The United States now files this Complaint in response to that claim.

21. The following persons may have or claim an interest in the Defendant Currency:

Andrew George Long
207 Estes Drive
Marion, NC 28752

Shannon Nicole Mills
299 Owl Hollow Road
Marion, NC 28752

CONCLUSION

22. By virtue of the foregoing, all right, title, and interest in the Defendant Currency vested in the United States at the time of the commission of the unlawful act giving rise to forfeiture, 21 U.S.C. § 881(h), and has become and is forfeitable to the United States of America.

PRAYER FOR RELIEF

WHEREFORE, the United States of America respectfully prays the Court that:

- (1) a warrant for the arrest of the Defendant Currency be issued;
- (2) due notice be given to all parties to appear and show cause why the forfeiture should not be decreed;
- (3) judgment be entered declaring the Defendant Currency to be condemned and forfeited to the United States of America for disposition according to law; and
- (4) the United States be granted such other and further relief as this Court may deem just and proper, together with the costs and disbursements of this action,

including but not limited to the expenses of maintenance and protection of the Defendant Currency as required by 28 U.S.C. § 1921.

Respectfully submitted this 29th day of October, 2021.

WILLIAM T. STETZER
ACTING UNITED STATES ATTORNEY

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VERIFICATION

I am a Special Agent with the Drug Enforcement Administration. Pursuant to 28 U.S.C. § 1746, I hereby verify and declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Date: 10/29/2021

**ANDREW
SCRIPTURE**

 Digitally signed by ANDREW
SCRIPTURE
Date: 2021.10.29 10:42:10 -04'00'

Andrew Scripture
DEA Special Agent